

**HOUSE JOURNAL
64TH LEGISLATURE
FOURTH LEGISLATIVE DAY**

Helena, Montana
January 8, 2015

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Smith. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (Welborn, Chair):

1/8/2015

Correctly engrossed: **HB 1, HR 1.**

Correctly printed: **HB 122, HB 174, HB 175, HB 176, HB 177, HB 178, HB 179, HB 180, HB 181, HB 182, HB 183, HB 184.**

Correctly enrolled: **HR 1.**

SPECIAL ORDERS OF THE DAY

Chief Clerk Grovom announced the staff:

Lindsey Grovom	Chief Clerk
Dee Barfknecht	Deputy Chief Clerk
Cindy Loacker	Secretary to Chief Clerk
Dennis Lenz	Sergeant-At-Arms
Brad Murfitt	Asst. Sgt-At-Arms
Susan Dostal	Supply Clerk
Claudia Morley	Page Supervisor
Larry Cole	Safety & Facilities Aide
Jim Thies	Safety & Facilities Aide
David Ullrey	Safety & Facilities Aide
Josiah Van Kirk	Safety & Facilities Aide
Kathy Baird	Bills Clerk/Decorum Supervisor
Sandy Bradford	Bills Coordinator
JoAnne Miller	Journal Clerk
Tyler Phillips	Reading Clerk
Andy Metropoulos	Vote Clerk
Terry Myhre	Status Clerk
Bridger Bukantis	Amendments Coordinator
Linda Minich	Bills Distribution Coordinator
Becky Berger	Committee Support Staff Supervisor
Jessica Riffel	Agriculture & F.R.E.T.
Katya Grover	Appropriations
Karen Armstrong	Business & Labor
Nadia Zylawy	Education
Jennifer Petersen	FWP & State Administration

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Phoebe Williams	Human Services & ASC Gen Gov
McKenzie Chambers	Judiciary
Noah Horan	Local Government & ASC HHS
Sherri Row	Natural Resources
Erica Siate	Taxation
Kendra Balian	Transportation
Kathleen Ely	ASC Education
Sally Speer	ASC Judicial
Mary Ann Mackay	ASC Long Range Planning
Rita Tenneson	ASC Natural Resources
CJ Johnson	On Call Committee Secretary
Joyce Brodehl	Committee Aide
Colleen Dever	Committee Aide
Jake Flaherty	Committee Aide
Sharon Greef	Committee Aide
CJ Johnson	Committee Aide
Connie Myhre	Committee Aide
Susie Hamilton	Documents Specialist
Alex Gray	Word Processor
Shelley Vance	Secretary to Speaker
Max Hunsaker	Majority Chief of Staff
Karli Hill	Aide to Majority
Lindsey Singer	Aide to Majority
Schuyler Watt	Aide to Majority
Amanda Frickle	Minority Chief of Staff
Madeline Forbis	Aide to Minority
Carissa Kemp	Aide to Minority
Kevin Massey	Aide to Minority
Deborah Schaaf	Aide to Minority

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

1/7/2015

HB 1, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "\$3,533,843"

Insert: "\$3,402,855"

2. Page 1, line 15.

Strike: "5,586,465"

Insert: "5,455,477"

3. Page 1, line 16.

Strike: "688,722"

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Insert: "643,722"

And, as amended, do pass. Report adopted.

TAXATION (Miller, Chair):

1/8/2015

HB 122, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 174, introduced by D. Mortensen, S. Fitzpatrick, F. Mandeville, M. Monforton, R. Pinocci, referred to Judiciary.

HB 175, introduced by D. Mortensen, C. Fiscus, K. McCarthy, D. Zolnikov, referred to Judiciary.

HB 176, introduced by F. Mandeville, D. Mortensen, N. Schwaderer, referred to Fish, Wildlife and Parks.

HB 177, introduced by D. Moore, referred to Business and Labor.

HB 178, introduced by M. Monforton, N. Swandal, referred to Judiciary.

HB 179, introduced by T. Manzella, D. Mortensen, referred to Agriculture.

HB 180, introduced by B. Smith, D. Ankney, T. Berry, B. Hamlett, K. Hansen, B. Harris, A. Knudsen, K. Regier, S. Stewart-Peregoy, J. Windy Boy, referred to Appropriations.

HB 181, introduced by F. Mandeville, referred to Business and Labor.

HB 182, introduced by F. Mandeville, T. Berry, referred to Local Government.

HB 183, introduced by F. Mandeville, referred to Local Government.

HB 184, introduced by G. Hertz, referred to Business and Labor.

Majority Leader Regier announced the Republicans would caucus.

Minority Leader Hunter announced the Democrats would also caucus.

House Recessed.

House Reconvened.

SECOND READING OF BILLS

(COMMITTEE OF THE WHOLE)

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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HR 1 - Representative Essmann moved **HR 1** be adopted.

HR 1 - Representative Hunter moved **HR 1**, second reading copy, be amended as follows:

1. Page 15, line 10.

Strike: "Legislation"

Insert: "(1) Except as provided in subsection (2), legislation"

2. Page 15.

Following: line 11

Insert: "(2) For the 2015 Session, the majority party leadership and the minority party leadership may each make up to six separate requests to withdraw a bill from a House committee, and these requests require only a simple majority of those present and voting to withdraw a bill from a House committee."

3. Page 26, line 9.

Following: "(4)"

Insert: "except as provided in H40-90(2),"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Fitzpatrick, Flynn, Harris, Hess, Redfield, Schwaderer, Shaw, Wagoner, White, Wittich, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: Custer, Manzella.

Total 2

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HR 1 - Representative Hunter moved **HR 1**, second reading copy, be amended as follows:

1. Page 15, line 16.

Strike: "may"

Insert: "must"

2. Page 15, line 17.

Strike: "not less than three-fifths"

Insert: "a majority"

3. Page 25, line 10.

Strike: "(14) or (16)"

Insert: "(13) or (15)"

4. Page 26, line 19.

Strike: subsection (11) in its entirety

Renumber: subsequent subsections

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kip III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 46

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: Greef, Shaw, Welborn.

Total 3

HR 1 - Representative Essmann moved **HR 1**, as amended, be adopted. Motion carried as follows:

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Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 87

Nays: J. Bennett, Doane, Fitzpatrick, Flynn, Harris, Hess, Miller, Mortensen, Schwaderer, Wagoner, White, Wittich, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Miller, Mortensen, Redfield, Schwaderer, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: Staffanson.

Total 1

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MOTIONS

Majority Leader Regier moved **HB 27** be moved from the Education committee to the Appropriations committee.

Majority Leader Regier moved **HB 38** be moved from the Judiciary committee to the Business and Labor committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, January 9, 2015. Motion carried.

House adjourned at 2:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House